

BILL NO. Z-78-01-31

ZONING MAP ORDINANCE NO. Z-08-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S 14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. S 14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered 88, 89, 132 and 133 in Delta Heights Addition to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian L. Schmidt
Councilman

APPROVED AS TO FORM
AND LEGALITY,

[Signature]
CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by

Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 1-24-78

Charles W. Westerhouse
CITY CLERK

Read the third time in full and on motion by V. Schmidt,

seconded by Stier, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>✓</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 3-14-78

Charles W. Westerhouse
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 3-08-78 on the 14th day of March, 1978

ATTEST: (SEAL)

Charles W. Westerhouse
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1978, at the hour of 12:30 o'clock P. M., E.S.T.

Charles W. Westerhouse
CITY CLERK

Approved and signed by me this 23rd day of March, 1978

at the hour of 11:15 o'clock A

M. E.S.T.

Robert E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 24, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-01-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

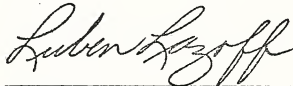
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 27, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 27, 1978.

Certified and signed this
28th day of February, 1978.

A handwritten signature in cursive script, reading "Luben Lazoff".

Luben Lazoff
Secretary

Bill No. Z-78-01-31

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. S14

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance No PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

Vivian G. Schmidt
John Nuckols
William T. Hinga
Donald J. Schmidt
James S. Stier

3-14-78 CONCURRED IN
DATE 3-14-78 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

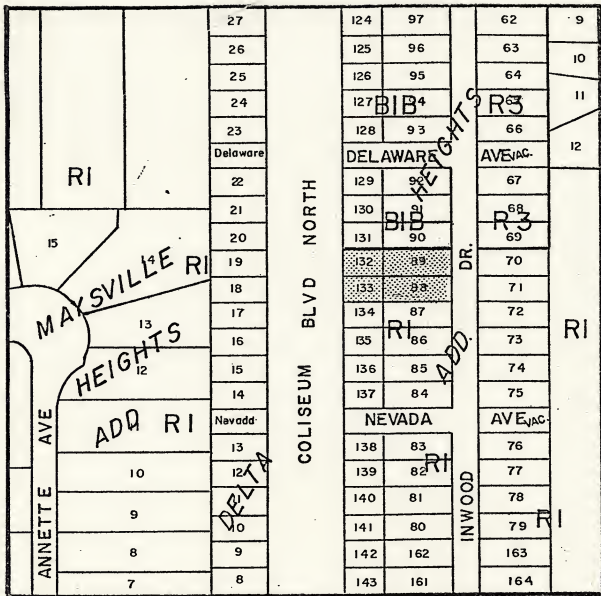
Date Jan 17 1978 No.

10093

Received From Lebromoff + AssociatesAddress Lots 88, 89, 132 + 133 DeltaHeights Field.Dollars \$ 50.⁰⁰For Fifty Dollars + P²

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	00	CASH		
AMT. PAID	50	00	CHECK	1298	
BALANCE DUE			MONEY ORDER		

By Off - zoning

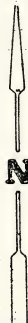


REZONE FROM RI TO BIB

MAP NO. S-14

Z-78-01-31

BY M.F.C. 1-18-78



PETITION FOR ZONING ORDINANCE AMENDMENT Receipt No. _____

Date Filed _____

Intended Use _____

I/We Thomas C. Lebamoff, Luba A. Lebamoff and Walter G. Fuller
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of
Fort Wayne, Indiana, by reclassifying from a/an R1 District
to a/an B1B District the property described as follows:

Lots numbered 88, 89, 132 and 133 in Delta Heights Addition
to the City of Fort Wayne.

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one
percentum (51%) or more of the property described in this petition.

Thomas C. Lebamoff 1027 Crestway Drive

Luba A. Lebamoff 1027 Crestway Drive

Walter G. Fuller 1112 Valley-O-Pines Pkwy.
(Name) (Address & Zip Code)

(Signature)

(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under
advisement shall be filed, in writing, in the office of Community
Development and Planning, by noon on the Wednesday preceding the meeting
of the City Plan Commission at which the ordinance is to be considered.
If the request for a continuance or advisement is filed within the required
time, the matter will not be put on the agenda for the meeting. It
shall be the obligation of the petitioner to notify the same property
owners which the Plan Commission had notified by mail that the hearing
has been postponed or rescheduled and inform them of the time and place
of the meeting at which the ordinance will be considered. All withdrawals
of the ordinances must be made in writing prior to the Plan Commission's
vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

Nancy G. Eshcoff 1416 Anthony Wayne Bk. Bldg.
(Name) Ft. Wayne, IN 46802 219/423-2581
(Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and
Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One
Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public
Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

(Name)	(Address & Zip Code)	(Signature)

3456
Rev

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-78-01-31

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots 88, 89, 132 & 133 Delta Heights Addition.

EFFECT OF PASSAGE Property is now zoned "R1" - One Family Residential
property will become "B1B" - Limited Business.

EFFECT OF NON-PASSAGE Property will remain "R1" District - One Family
Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) _____

27



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

March 23, 1978

Ms. Virginia Grace
Fort Wayne Newspaper, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of March 27, 1978 and April 3, 1978, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. Z-78-01-07
Zoning Map Ordinance No. Z-06-78

Bill No. Z-78-01-30
Zoning Map Ordinance No. Z-07-78

Bill No. Z-78-01-31
Zoning Map Ordinance No. Z-08-78

Please send us 14 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWM/ne
ENCL: 1



Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

JOURNAL-GAZETTE

Dr.

Allen County, Ind.FORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

385290**COMPUTATION OF CHARGES**90 lines, 1 columns wide equals 90 equivalent lines at .259¢ cents per line\$ 23.31

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

6.00**TOTAL AMOUNT OF CLAIM**\$ 29.31**PRINTING COST**9.9 single column 1 emsSize of type 5½ pointof insertions 2Size of quad upon which type is cast 5½

Revision and penalties of Ch. 89, Acts 1967,

The foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

*Arvilla Dewald*Title CLERK**PUBLISHER'S AFFIDAVIT**State of Indiana } ss:
Allen County }Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTEa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 1, the dates of publication being as follows:3/27 & 4/3/78Subscribed and sworn to before me this 3rd day of April, 1978

Notary Public

My commission expires September 28, 1979**NOTICE OF THE COMMON COUNCIL, FORT WAYNE, INDIANA**

Notice is hereby given that on the 14th day of March, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-78-01-07 — ZONING MAP ORDINANCE NO. Z-06-78, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. M7.

Notice is hereby given that on the 14th day of March, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-78-01-30 — ZONING MAP ORDINANCE NO. Z-07-78, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. Q10.

Notice is hereby given that on the 14th day of March, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-78-01-31 — ZONING MAP ORDINANCE amending the City of Fort Wayne Zoning Map No. S14.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-01-07 — Zoning Map Ordinance No. Z-06-78, and that Bill No. Z-78-01-30 — Zoning Map Ordinance No. Z-07-78, and that Bill No. Z-78-01-31 — Zoning Map Ordinance No. Z-07-78, were passed by the Common Council on the 14th day of March, 1978, and that said Ordinances were duly signed and approved by the Mayor on the 23rd day of March, 1978, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 23rd day of March, 1978.

Charles W. Westerman

Copies of said Bill No. Z-78-01-07 — Zoning Map Ordinance No. Z-06-78, Bill No. Z-78-01-30 — Zoning Map Ordinance No. Z-07-78 and Bill No. Z-78-01-31 — Zoning Map Ordinance No. Z-07-78, are posted in the following places in Fort Wayne, Allen County, Indiana:

(1) The main floor lobby of the City-County Building.

(2) The bulletin board in the lobby at the east door of the Allen County Courthouse.

(3) The bulletin board in the lobby of the Downtown Fort Wayne Public Library.

Copies of said Bill No. Z-78-01-07 — Zoning Map Ordinance No. Z-06-78, Bill No. Z-78-01-30 — Zoning Map Ordinance No. Z-07-78 and Bill No. Z-78-01-31 — Zoning Map Ordinance No. Z-07-78, are also available for reading in the following public places in Fort Wayne, Indiana:

(4) The Reference Room in the north end of the main floor in said Downtown Public Library.

(5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.

Charles W. Westerman

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on March 27, 1978.

Charles W. Westerman

City Clerk

**TH COPY OF
SEMENT HERE**

Common Council of Fort Wayne
(Governmental Unit)

No. JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)	_____
— number of equivalent lines	_____
Head number of lines	3
Body number of lines	85
Tail number of lines	2
Total number of lines in notice	90

COMPUTATION OF CHARGES

90 lines, 1 columns wide equals 90 equivalent lines at .259¢ : 23.31
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 6.00

TOTAL AMOUNT OF CLAIM : 29.31

DATA FOR COMPUTING COST

Width of single column 9.2 cms Size of type 5 1/2 point

Number of insertions 2 Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date April 3, 1978

Title _____
CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is _____ CLERK

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

3/27 & 4/3/78

Subscribed and sworn to before me this 3rd day of April, 1978

Notary Public

My commission expires September 28, 1979

CH COPY OF
ISEMENT HERE

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references to Joint Agency in the Middle East.

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Richard Nixon helped hi
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and made a prudent if di
cases.

the City of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.
Charles W. Westerman
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Oath in the designated places as stated above on March 27, 1978.
Charles W. Westerman
City Clerk

Common Council of Fort Wayne
(Governmental Unit)

To **THE NEWS-SENTINEL** Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	<u> </u>
Head number of lines	<u>3</u>
Body number of lines	<u>25</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>30</u>

COMPUTATION OF CHARGES

30 lines, 1 columns wide equals 30 equivalent lines at 1.274 cents per line **\$ 38.22**

Additional charge for notices containing rule or tabular work (50 per cent of above amount) **6.00**

Charge for extra proofs of publication (50 cents for each proof in excess of two) **\$ 20.32**

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5 1/2 point

Number of insertions 2 Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

W. E. Shaden

Date April 3, 1978

Title CLERK

FORT WAYNE NEWS-SENTINEL

Mon., Mar. 27, 1978 **13A**

<p>Legal Notice</p> <p>the following BILL NO. Z-78-01-07 — ZONING MAP ORDINANCE NO. Z-78-78, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. 517.</p> <p>Notice is hereby given that on the 14th day of March, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-78-01-31 — ZONING MAP ORDINANCE NO. Z-78-78, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. 517.</p> <p>Notice is hereby given that on the 14th day of March, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-78-01-31 — ZONING MAP ORDINANCE NO. Z-78-78, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. 517.</p> <p>Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-01-07 — Zoning Map Ordinance No. Z-78-78, and that Bill No. Z-78-01-30 — Zoning</p>	<p>Legal Notice</p> <p>Map Ordinance No. Z-78-78, and that Bill No. Z-78-01-31 — Zoning Map Ordinance No. Z-78-78, were passed by the Common Council on the 14th day of March, 1978, and that said Ordinances were duly signed and approved by the Mayor on the 23rd day of March, 1978, and now remains on file and on record in my office.</p> <p>WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 23rd day of March, 1978.</p> <p>Charles W. Westerman, City Clerk</p> <p>Copies of said Bill No. Z-78-01-07 — Zoning Map Ordinance No. Z-78-78, Bill No. Z-78-01-30 — Zoning Map Ordinance No. Z-78-78 and Bill No. Z-78-01-31 — Zoning Map Ordinance No. Z-78-78, are posted in the following places in Fort Wayne, Allen County, Indiana:</p> <p>(1) The main floor lobby of the City County Building.</p> <p>(2) The bulletin board in the lobby at the east door of the Allen County Court House.</p> <p>(3) The bulletin board in the lobby</p>	<p>Legal Notice</p> <p>of the Downtown Fort Wayne Public Library.</p> <p>Copies of said Bill No. Z-78-01-07 — Zoning Map Ordinance No. Z-78-78, Bill No. Z-78-01-30 — Zoning Map Ordinance No. Z-78-78 and Bill No. Z-78-01-31 — Zoning Map Ordinance No. Z-78-78, are also available for reading in the following public places in Fort Wayne, Indiana:</p> <p>(4) The Reference Room in the North end of the main floor in said Downtown Public Library.</p> <p>(5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City County Building, Fort Wayne, Indiana.</p> <p>Charles W. Westerman, City Clerk</p> <p>I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on March 27, 1978.</p> <p>Charles W. Westerman, City Clerk</p>
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Subscribed and sworn to before me this 27 day of March, 1978

Notary Public

My commission expires September 26, 1979

NOTICE OF THE COMMON COUNCIL, FORT WAYNE, INDIANA

Notice is hereby given that on the 14th day of March, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass

ATTN: ADVISE

and for said county and state, the who, being duly sworn, says of the circulation printed and published **NE, INDIANA** attached hereto is a true copy, the dates of publication being

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

60 lines, 3 columns wide equals 60 equivalent lines at 25¢ cents per line \$ 23.31

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date April 3, 1978

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows: 3/27 & 4/3/78

Subscribed and sworn to before me this 3rd day of April 1978

Notary Public

My commission expires September 26, 1979

Sports
KentuckyBy BUD GALLMEIER
(News-Sentinel Sports Editor)
ST. LOUIS, Mo. — Unique is the word Kentucky's